

PATENT MAINTENANCE
FEERECEIVED
CENTRAL FAX CENTER

AUG 26 2005

2005 AUG 30 PM 4:20

PTO/SB06 (07-05)

Approved for use through 05/31/2006. OMB 0551-0016

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(c))**

Docket Number (Optional)

004158.78505

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Fax: (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information
at (571) 272-3282.

Patent No. 6,078,044 Application Number 09/246,794

Issue Date June 13, 2000 Filing Date February 1, 1999

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent
number (or reissue patent number, if a reissue) and (2) the application number of the
actual U.S. application (or reissue application) leading to issuance of that patent to
ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable

The above - identified patent:

- ☐ is a reissue of original Patent No. _____, original issue date _____;
original application number _____,
original filing date _____.
- ☐ resulted from the entry into the U.S. under 35 U.S.C. 371 of international
application _____ filed on _____.

CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with
the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope
addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date 00000010 190733 6076044

Signature _____

400.00 DA

Typed or printed name of person signing Certificate _____

Page 1 of 3

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and) by the
USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete,
including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on
the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and
Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS
ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9198 and select option 2.

#13

RECEIVED

SEP 08 2005

OFFICE OF PETITIONS

10/04/2005 AKELLY

01 FC:1462

PTO/SB/08 (07-05)
 Approved for use through 05/31/2009. OMB 0851-0016
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

1. SMALL ENTITY

☐ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☒ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g).

3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input checked="" type="checkbox"/> \$ 900	3 1/2 yr fee	(1551)	<input type="checkbox"/> \$	3 1/2 yr fee	(2551)
<input type="checkbox"/> \$	7 1/2 yr fee	(1552)	<input type="checkbox"/> \$	7 1/2 yr fee	(2552)
<input type="checkbox"/> \$	11 1/2 yr fee	(1553)	<input type="checkbox"/> \$	11 1/2 yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 900

4. SURCHARGE

The surcharge required by 37 CFR 1.20(f)(2) of \$ 1640 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of the maintenance fee.

SURCHARGE BEING SUBMITTED \$ 1640

5. MANNER OF PAYMENT

☐ Enclosed is a check for the sum of \$

☒ Please charge Deposit Account No. 19-0733 the sum of \$ 2540. A duplicate copy of this authorization is attached.

☐ Payment by credit card. Form PTO-2038 is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☒ The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. 19-0733. A duplicate copy of this authorization is attached.

PTO/SB46 (07-06)

Approved for use through 05/31/2006. CMB 0851-0016

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

7. OVERPAYMENT

As to any overpayment made please

☒ Credit to Deposit Account No. 19-0733
OR
☐ Send refund check.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional.

9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.

Amo B. 29 AUG 05
Signature(s) of Petitioner(s) Date
Anthony Brown
Typed or printed name(s) Registration Number, if applicable
301. 925. 8972
Telephone Number
1326 Gabes PL. Itzville, MD 20785
Address
Address

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

ENCLOSURES:

☒ Maintenance Fee payment
☒ Surcharge under 37 CFR 1.20(f)(2) (fee for filing the maintenance fee petition)
☐

(Page 3 of 3)

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2908. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

RECEIVED

SEP 08 2005

OFFICE OF PETITIONS



BANNER & WITCOFF, LTD.
INTELLECTUAL PROPERTY LAW

1001 G STREET, N.W.
WASHINGTON, D.C. 20001-4597

TEL: 202.824.3000
FAX: 202.824.3001
www.bannerwitcoff.com

FACSIMILE TRANSMITTAL SHEET

TO: Andrea Smith Office of Petitions	FROM: Susan A. Wolfe	RECEIVED CENTRAL FAX CENTER
COMPANY: U.S. Patent and Trademark Office	DATE: August 26, 2005	AUG 26 2005
FAX NO.: 571-273-8300	TOTAL NO. OF PAGES: (including cover sheet) 6	
YOUR REFERENCE NO.:	OUR REFERENCE (C/M) NO.:	

RE: U.S. Patent 6,076,044

If you do not receive all page(s) or have any problems receiving this transmission, please call:

NAME: Lynn Hudgins	PHONE: 202-824-3138
---------------------------	----------------------------

COMMENTS:

Please see attached Petition.

RECEIVED
SEP 08 2005
OFFICE OF PETITIONS

Important/Confidential: This message is intended only for the use of the individual or entity to whom it is addressed. This message contains information from the law firm of Banner & Witcoff, Ltd. which may be privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, retention, archiving, or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately at our telephone number listed above. We will be happy to arrange for the return of this message to our offices at no cost to you.

CHICAGO

WASHINGTON, D.C.

BOSTON

PORTLAND, OR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of

U.S. Patent No. 6,076,044
(Formerly Serial No.: 09/246,784)Issued: June 13, 2000
Filed: February 1, 1999) Office of Petitions
) Attention: Andrea Smith
)
) Attorney Docket: 004156.78505
)
)
)**CERTIFICATION OF FACSIMILE TRANSMISSION**U.S. Patent and Trademark Office
Randolph Building
Customer Service Window, Mail Stop Petition
401 Dulany Street
Alexandria, VA 22314RECEIVED
SEP 08 2005
OFFICE OF PETITIONS

Sir:

I hereby certify that the following paper is being facsimile transmitted to the
Patent and Trademark Office (Fax No. 571-273-8300) on August 26, 2005:Petition To Accept Unintentionally Delayed Payment Of Maintenance Fee
In An Expired Patent (37 CFR 1.378(c)).Date: 8/26/05By: Susan A. Wolfe
Registration No. 33,568
Banner & Witcoff, Ltd.
1001 G Street, N.W. - 11th Floor
Washington, D.C. 20231
Telephone (202) 824-3127